



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901
W-6-3

APR 14 1995

Fax sent to Don Henry

Don Henry
U.S. Department of the Interior
Fish and Wildlife Service
Arizona Ecological Services Field Office

**RE: Magma Florence In Situ Copper Mine Project-Endangered Species
Consultation**

Dear Mr. Henry:

Magma Copper Company is proposing to submit an Underground Injection Control Class III Permit Application under 40 CFR Part 144, 146, and 147 for the in-situ mining Florence Project. In compliance with 40 CFR 144.4 (c), the *Endangered Species Act*, the Environmental Protection Agency (EPA), before issuing an injection well permit, must ensure that the action authorized by the EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect any critical habitat.

The EPA is planning a site visit of the proposed mining area on April 20, 1995. A list of endangered, threatened, or other species of special concern in the vicinity of existing mines and property holdings was provided by Mr. Sam F. Spiller in January of 1993 to Magma Copper Company. The letter listed Federal endangered and candidate species which may be found in the vicinity. I've included the letter from Mr. Spiller as an attachment to this fax. A representative from the Department of Interior is requested to attend the site visit to provide an opportunity for Magma Copper Company and the EPA to discuss any matters dealing with endangered species and actions that could be taken to mitigate any impact.

If any Fish and Wildlife Service staff person plans to attend or has questions on scheduling, please call me at (415) 744-1829. Thank you very much for your time and assistance.

Sincerely,

Jose L. Gutierrez
Environmental Engineer